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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,198	08/01/2001	Stephen D. Magee	IR105419	5732
22863	7590	08/23/2006	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD 1L01/3RD SCHAUMBURG, IL 60196			SANDOVAL, KRISTIN D	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/920,198

Applicant(s)

MAGEE ET AL.

Examiner

Kristin D. Sandoval

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,6-9,13-15 and 17-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-9,13-15 and 17-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

1. Claims 1, 2, 6-9, 13-15 and 17-27 are pending. Claims 3-5, 10-12 and 16 are cancelled.

### ***Response to Arguments***

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1, 2, 13-15 and 21-27 rejected under 35 U.S.C. 102(e) as being anticipated by Akhtar et al. (Akhtar), U.S. Patent No. 6,769,000.

As per claims 1, 2, 15, 21 and 25:

Akhtar discloses a secure communication system comprising:

first and second networks having first and second security controllers connected to, respectively, a plurality of first and second network elements (8:45-9:29, 11:31-53),

a mobile device configured to request secure multimedia services while in the second network, the first network being the home network of the mobile device (7:62-8:11, 8:16-19, 9:55-65),

the first security controller selecting one of the first network elements for coupling to the second network, and the second security controller selecting one of the second elements for dynamically coupling to the first network element over an IP connection (7:47-53, 11:18-53).

The first and second security controllers pre-negotiate an internet protocol security association for the selected ones of the pluralities of first and second network elements,

The first and second security controllers establish the security association for the selected ones of the pluralities of first and second network elements and subsequently transmit, respectively, the security association to the first and second network elements; and

The transmissions of the security association to the first and second network elements occurs dynamically on an as-needed basis in response to registration of the mobile device in the second network (23:34-24:57, 25:7-16, 43:1-6, 43:16-44:42, 49:5-19).

As per claims 13 and 14:

Akhtar discloses a method for secure communications further including the step of pooling the by the home and visited network each of the home and visited network elements having pre-negotiated security associations (44:56-65).

As per claim 22:

Akhatr discloses a method wherein selecting a designated visited and home network element from the plurality of visited and home network elements comprises selecting, by the visited and home network, a visited and home network element having a security association with the home and visited network respectively (43:16-44:55).

As per claims 23 and 24:

Akhatar discloses a method wherein the first and second security controllers are each configured to terminate the security association at the selected one of the pluralities of first and second network elements in response to termination of the multimedia services (32:65-33:13).

As per claims 26:

Akhtar discloses a method further comprising changing the designated security association when the mobile device registers in another network (50:48-67).

As per claims 27:

Akhtar discloses a method further comprising maintaining the secure communications path only for the duration that the mobile device is registered in the visited network (32:65-33:13, 62:38-63:37).

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 6, 7, 17 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Akhtar (U.S. 6,769,000) as applied to claims 1 and 21 above, and further in view of Toth et al. (Toth), U.S. Patent Number 5,708,655.

As per claims 6, 7, 17, and 18:

Toth further discloses IP Address Servers for both the home and visited networks, which meet the limitations of call state control functions for the home and visited networks, respectively (see column 7, lines 41-46; column 8, lines 62-67; column 9, lines 14-19 and lines 33-44).

In view of the teachings of Toth it would have been an obvious modification to the system of Akhtar to have provided for the security negotiation of the user to extend to the communication between the first and second network via the security controllers in order to authenticate and verify that the user is indeed an authorized user of the first network, the user's home network.

4. Claims 8, 9, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akhtar (U.S. 6,769,000) as applied to claims 1 and 21 above and further in view of Vilander et al., U.S. Patent Number 6,553,219 and UMTS Release 1999, 3GPP, 1999. Akhtar fails to explicitly disclose their system as being 3GPP or UMTS, although they do disclose their system to be GPRS (32:30-40), a system of which 3GPP and UMTS are one type. However, Vilander et al. disclose an authentication system within UMTS, which is a system disclosed by the 3rd Generation Partnership Project (3GPP). Thus it would have been obvious to use a 3rd generation UMTS system when using a GPRS system using IP communication. It would have been obvious to have a 3GPP multimedia communication system when dealing with a UMTS system.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

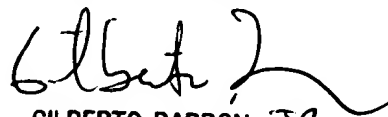
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin D. Sandoval whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KDS  
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